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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,447	12/18/2001	Thomas D. Fletcher	2207/11269	1709

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KENYON & KENYON
1 BROADWAY
NEW YORK, NY 10004

EXAMINER

MAI, TAN V

ART UNIT	PAPER NUMBER
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2193

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/020,447

Applicant(s)

FLETCHER, THOMAS D.

Examiner

Tan V. Mai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) 1-9 and 26-31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10, 11, 13, 14, 17-19, 22-25, 32, 34, 35, 37, 40 and 41 is/are rejected.
- 7) ☒ Claim(s) 12, 15, 16, 20, 21, 33, 36, 38, 39 and 42 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/15/05 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 10, 13, 17 and 19 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Ware (US Pat. 4,623,982).

Rejection grounds continue to be those set forth in the previous office action dated 12/15/04, paragraph 5.

3. Claims 14, 22-25, 32, 34-35, 37 and 40-41 rejected under 35 U.S.C. 103(a) as being unpatentable over Ware (US Pat. 4,623,982).

Rejection grounds continue to be those set forth in the previous office action dated 12/15/04, paragraph 8.

4. Claims 11 and 18 rejected under 35 U.S.C. 103(a) as being unpatentable over Ware in view of Vo et al (US Pat. 4,737,92).

Rejection grounds continue to be those set forth in the previous office action dated 12/15/04, paragraph 10.

5. Applicant's arguments filed on 3/15/05 have been fully considered but they are not persuasive.

Applicants, his remarks, argue that:

(1). "[t]he last Office Action rejected claims 10 and 17 as anticipated by Ware. See Office Action, page 3. In order for a reference to anticipate a claim, the reference must teach every element of the claim. See MPEP 2131. In rejecting claims 10 and 17 as anticipated by Ware, the last Office Action acknowledges that "Ware does not specifically detail the claimed 'one of the carry generation blocks determine exactly three of the carry-output values'". See Office Action, page 3 (emphasis in original). Thus, the last Office Action acknowledges that Ware does not teach every element of claim 10. The last Office Action applies a "similar rationale" for rejecting claim 17. Because Ware does not teach every limitation of claims 10 and 17, as acknowledged in

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the last Office Action, the rejection of these claims as anticipated by Ware should be withdrawn";

(2). "[a]pplicant does not believe that Gonfaus et al (Figs. 2-4) disclose the use of a transistor stack with a smaller transistor closest to the output. Moreover, even if Gonfaus or some other reference disclosed a transistor stack with a smaller transistor closest to the output, and even if 'a simple and/or combination logic gate could be implemented by such feature,' as stated in the last Office Action at page 5 (emphasis added), there is no evidence of a motivation to use such a feature in a carry generate block as recited in claim 32"; and

(3). "[t]he fact that an adder circuit should have 'at least one' critical path is not determinative because the claims recite only having a single critical path. This feature is not shown or suggested by the art of record."

With respect to the arguments, the examiner carefully reviews the claimed invention and the applied references, Ware.

(1). First, Ware teaches all elements of the claim, see last Office Action, paragraph 5. It is noted that the last Office Action stated that "Ware does specifically detail the claimed 'one of the carry generation blocks determine exactly three of the carry-output values'. Also, it is noted that Fig. 3B shows a plurality of blocks having different bit length. Therefore, Fig. 3B discloses the claimed "one of the carry generation blocks determine exactly three of the carry-output values". See attached copy of Fig. 3A for the claimed "one of the carry generation blocks determine exactly three of the carry-output values";

(2). Second, the claim broadly recites "plurality of carry generation blocks that include a plurality of **tapered transistor stacks**" without the limitation "with a smaller transistor closest to the output" as mentioned. It is noted that Applicant's specification, page 23, lines 9-11, the meaning of the term "tapered transistor stacks" is defined as

"the transistors at the bottom of the stacks is larger than the transistors above".

Generally, taper is defined as (1) to make or become gradually smaller at one end or (2) to become less and less. The examiner believes the **tapered transistor stacks** means "stacks" become less and less transistors. Therefore, any simple "tapered transistor stacks" is implemented in Ware could read on the claimed invention.

(3). Third, Ware does show the claimed "one critical path through the plurality of carry generation blocks", e.g., see Fig. 3B (critical path C IN ADDER to C OUT BLOCK(3)).

Therefore, the rejections are still proper.

6. Claims 12,15-16, 20-21, 33, 36, 38-39 and 42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is an examiner's statement of reasons for allowance: the recorded references do NOT teach or suggest the method / adder having the detail features as recited in dependent claims 12,15-16, 20-21, 33, 36, 38-39 and 42.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan V. Mai whose telephone number is (571) 272-3726. The examiner can normally be reached on Mon-Wed and Fri. from 9:30am to 2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki, can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is:

Official (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.


Tan V. Mai
Primary Examiner

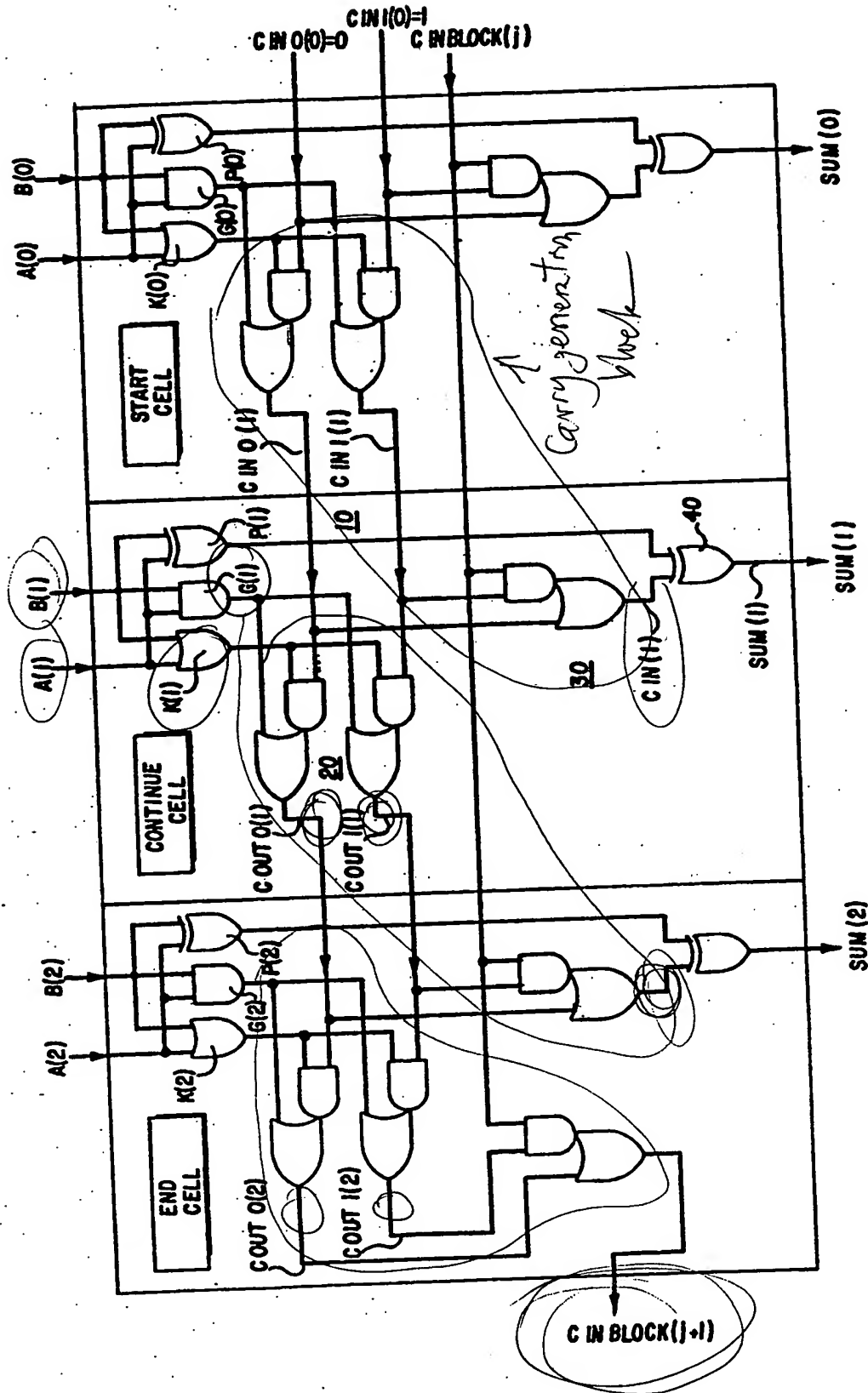


FIGURE 3A